

## § 930.1

## 15 CFR Ch. IX (1–1–15 Edition)

- 930.128 Public notice, comment period, and public hearing.
- 930.129 Dismissal, remand, stay, and procedural override.
- 930.130 Closure of the decision record and issuance of decision.
- 930.131 Review initiated by the Secretary.

### Subpart I—Consistency of Federal Activities Having Interstate Coastal Effects

- 930.150 Objectives.
- 930.151 Interstate coastal effect.
- 930.152 Application.
- 930.153 Coordination between States in developing coastal management policies.
- 930.154 Listing activities subject to routine interstate consistency review.
- 930.155 Federal and State agency coordination.
- 930.156 Content of a consistency determination or certification and State agency response.
- 930.157 Mediation and informal negotiations.

AUTHORITY: 16 U.S.C. 1451 *et seq.*

SOURCE: 65 FR 77154, Dec. 8, 2000, unless otherwise noted.

### Subpart A—General Information

#### § 930.1 Overall objectives.

The objectives of this part are:

(a) To describe the obligations of all parties who are required to comply with the federal consistency requirement of the Coastal Zone Management Act;

(b) To implement the federal consistency requirement in a manner which strikes a balance between the need to ensure consistency for federal actions affecting any coastal use or resource with the enforceable policies of approved management programs and the importance of federal activities (the term “federal action” includes all types of activities subject to the federal consistency requirement under subparts C, D, E, F and I of this part.);

(c) To provide flexible procedures which foster intergovernmental cooperation and minimize duplicative effort and unnecessary delay, while making certain that the objectives of the federal consistency requirement of the Act are satisfied. Federal agencies, State agencies, and applicants should coordinate as early as possible in developing a proposed federal action, and may mutually agree to intergovern-

mental coordination efforts to meet the requirements of these regulations, provided that public participation requirements are met and applicable State management program enforceable policies are considered. State agencies should participate in the administrative processes of federal agencies concerning federal actions that may be subject to state review under subparts C, D, E, F and I of this part.

(d) To interpret significant terms in the Act and this part;

(e) To provide procedures to make certain that all Federal agency and State agency consistency decisions are directly related to the enforceable policies of approved management programs;

(f) To provide procedures which the Secretary, in cooperation with the Executive Office of the President, may use to mediate serious disagreements which arise between Federal and State agencies during the administration of approved management programs; and

(g) To provide procedures which permit the Secretary to review federal license or permit activities, or federal assistance activities, to determine whether they are consistent with the objectives or purposes of the Act, or are necessary in the interest of national security.

[65 FR 77154, Dec. 8, 2000, as amended at 71 FR 826, Jan. 5, 2006]

#### § 930.2 Public participation.

State management programs shall provide an opportunity for public participation in the State agency’s review of a Federal agency’s consistency determination or an applicant’s or person’s consistency certification.

#### § 930.3 Review of the implementation of the federal consistency requirement.

As part of the responsibility to conduct a continuing review of approved management programs, the Director of the Office of Ocean and Coastal Resource Management (Director) shall review the performance of each State’s implementation of the federal consistency requirement. The Director shall evaluate instances where a State agency is believed to have either failed to object to inconsistent federal actions,